

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**SB 2307 – HB 2408**

March 26, 2018

**SUMMARY OF ORIGINAL BILL:** Prohibits a judge from requiring an appearance bond for a juvenile detained for a delinquent or unruly act. Requires the child be released on their own recognizance.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (016080):** Changes the effective date from July 1, 2018, to 12:01 a.m. July 1, 2018.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 67-4-803, a \$12 tax is imposed per bail bond and is collected by the bail bondsman, to be submitted to the Department of Revenue.
- Pursuant to Tenn. Code Ann. § 67-4-806, four percent of the bail bond tax revenue is used for the education of bail bondsman. The remaining amount is used to provide legal representation to low-income Tennesseans for civil matters.
- Based on information provided by the Administrative Office of the Courts (AOC), juvenile courts infrequently set bond. Bond that is set is most often a cash bond.
- The \$12 bail bond tax is not charged on cash bonds; therefore, prohibiting a bond in juvenile cases will not significantly impact the funds collected for use for bail bondsman education or civil legal funds.
- No fiscal impact on the operations of the Department of Children's Services.
- Based on information provided by the AOC, the proposed legislation would not result in a significant increase in caseloads for the state and local courts. Any increase in expenditures will be absorbed within existing state and local resources.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/vlh